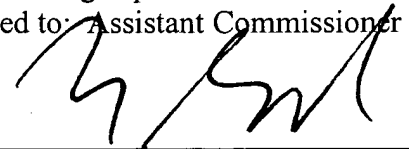


## MAILING CERTIFICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on April 17, 2001

  
Bruce S. Londa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Docket No. 101195-44

Applicant : Hans-Werner Heinrich et al.

Appln. Number : 09/786,725

Filed : March 8, 2001

For : Diagnostic Procedure for Recognition of Functional Disorder of the Pancreas

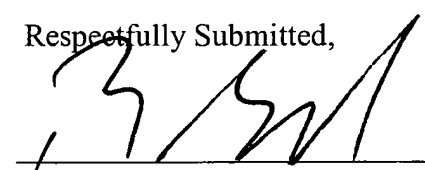
BOX PCT  
Hon. Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicant submits herewith the declaration required under 37 CFR 1.63. The notification of Missing Requirements has not been received as yet.

The surcharge for the late filing of the declaration was paid at the time of filing. A copy of the transmittal letter is enclosed. The Commissioner is hereby authorized to charge deposit account no. 14-1263 for any additional fees required to make this filing timely.

Respectfully Submitted,

  
Bruce S. Londa (33,531)  
Attorney Applicant  
Norris, McLaughlin & Marcus P.A.  
220 East 42<sup>nd</sup> Street, 30<sup>th</sup> Floor  
New York, N.Y. 10017  
Telephone: (212)808-0700  
Facsimile: (212)808-0844

## CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.  
PCT/DE99/02816INTERNATIONAL FILING DATE  
3 September 1999 (03.09.99)PRIORITY DATE CLAIMED  
8 September 1998 (09.09.98)

## TITLE OF INVENTION

Diagnostic Method for Detecting Disturbances of the Pancreas

## APPLICANT(S) FOR DO/EO/US

Hans-Werner Heinrich; Rainer Kleinert; Udo Meyer; and Heinz-Jurgen Wagner

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☐ Other items or information:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :**

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... **\$1,000.00**
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... **\$860.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$710.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$690.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$860.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

**\$130.00**

| CLAIMS  | NUMBER FILED | NUMBER EXTRA | RATE      |                 |
|---|--------------|--------------|-----------|-----------------|
| Total claims  | 18 - 20 =    | 0            | x \$18.00 | <b>\$0.00</b>   |
| Independent claims  | 7 - 3 =      | 4            | x \$80.00 | <b>\$320.00</b> |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/> |              |              |           | <b>\$0.00</b>   |

**TOTAL OF ABOVE CALCULATIONS =**

**\$1,310.00**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☒

**\$655.00**

**SUBTOTAL =**

**\$655.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). **+**

**\$0.00**

**TOTAL NATIONAL FEE =**

**\$655.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

**\$0.00**

**TOTAL FEES ENCLOSED =**

**\$655.00**

|               |    |
|---------------|----|
| Amount to be: | \$ |
| refunded      |    |
| charged       | \$ |

- ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- ☒ Please charge my Deposit Account No. **14-1263** in the amount of **\$655.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_ A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**

**the correspondence address associated with Customer Number 27387**



**27387**

PATENT TRADEMARK OFFICE

**SIGNATURE**

**Bruce S. Londa**

**NAME**

**33-531**

**REGISTRATION NUMBER**

**March 8, 2001**

**DATE**